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Paper No. None

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**MAR 09 2004**

**OFFICE OF PETITIONS**

**DECISION ON PETITION**

In re Application of  
James Thornsberry, Gregory Islas, and  
Robert H. Blanpied  
Application No. 10/615,591  
Filed: July 9, 2003  
Attorney Docket No. 2334-213  
Title: THERMOSETTING PLASTIC  
FOAMS AND METHODS OF  
PRODUCTION THEREOF USING  
ADHESION ADDITIVES

This is in response to the petition under 37 C.F.R. §1.47(a)<sup>1</sup>, filed January 5, 2004.

On July 9, 2003, the application was deposited, identifying James Thornsberry, Gregory Islas, and Robert H. Blanpied as joint inventors. The application was deposited without a fully executed oath or declaration. On October 8, 2003, applicant was mailed a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted" (Notice), requiring an executed oath or declaration in compliance with 37 C.F.R. §1.63 and a

<sup>1</sup>A grantable petition under 37 C.F.R. §1.47(a) requires:

- (1) the petition fee of \$130;
- (2) a surcharge of either \$65 or \$130 if the petition is not filed at the time of filing the application, as set forth in 37 CFR § 1.16(e);
- (3) a statement of the last known address of the non-signing inventors;
- (4) either
  - a) proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to the non-signing inventor for review and proof that the non-signing inventor refuses to join in the application or
  - b) proof that the non-signing inventor cannot be found or reached after diligent effort;
- (5) a declaration which complies with 37 CFR §1.63.

surcharge for its late filing. The Notice further indicated that the basic filing fee, was required, and set a two-month period for reply.

On January 5, 2004, petitioner submitted a copy of the declaration<sup>2</sup>, the instant petition, the last known address of the non-signing inventor, a declaration of facts, copies of several letters, an assignment document, the basic filing fee, and a one-month extension of time to make timely this reply.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the application will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0011.



Paul Shanowski  
Attorney  
Office of Petitions  
United States Patent and Trademark Office

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<sup>2</sup> The declaration submitted with the instant petition was not executed by joint inventor Gregory Islas.



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LETTER

Dear Mr. Islas:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 305-0011. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Paul Shanowski  
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